

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF ARIZONA**

Sara Elise Ain,

Plaintiff,

v.

Commissioner of Social Security  
Administration,

Defendant.

No. CV-24-00008-PHX-DLR

**ORDER**

Before the Court is United States Magistrate Judge Willett's Report and Recommendation ("R&R") (Doc. 23). The R&R recommends that the Court reverse the Administrative Law Judge's April 4, 2023 decision (A.R. 21-42), as upheld by the Appeals Council (A.R. 1-7), and remand this case to the Social Security Administration for further proceedings. The Magistrate Judge advised the parties that they had fourteen days to file objections to the R&R and that failure to file timely objections could be considered a waiver of the right to obtain review of the R&R. *See United States v. Reyna-Tapia*, 328 F.3d 1114, 1121 (9th Cir. 2003). Neither party filed objections, which relieves the Court of its obligation to review the R&R. *See Reyna-Tapia*, 328 F.3d at 1121; *Thomas v. Arn*, 474 U.S. 140, 149 (1985) ("[Section 636(b)(1)] does not . . . require any review at all . . . of any issue that is not the subject of an objection."); Fed. R. Civ. P. 72(b)(3) ("The district judge must determine de novo any part of the magistrate judge's disposition that has been properly objected to."). The Court has nonetheless reviewed the R&R and finds that it is well-taken. The Court will accept the R&R in its entirety. *See* 28 U.S.C. § 636(b)(1)

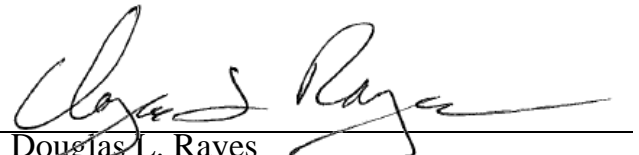
1 (stating that the district court “may accept, reject, or modify, in whole or in part, the  
2 findings or recommendations made by the magistrate”); Fed. R. Civ. P. 72(b)(3) (“The  
3 district judge may accept, reject, or modify the recommended disposition; receive further  
4 evidence; or return the matter to the magistrate judge with instructions.”).

5 **IT IS ORDERED** that the R&R (Doc. 23) is **ACCEPTED**.

6 **IT IS FURTHER ORDERED** that the reference of this case to the Magistrate  
7 Judge is **WITHDRAWN**, and the Administrative Law Judge’s decision is **REVERSED**.  
8 This matter is **REMANDED** to the Social Security Administration for further proceedings.

9 **IT IS FURTHER ORDERED** that the Clerk of the Court enter judgment  
10 accordingly and terminate this case.

11 Dated this 18th day of October, 2024.

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16 Douglas L. Rayes  
17 Senior United States District Judge  
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